

PATENT



ATTORNEY DOCKET NO. ALBA.004.01US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Alex Battaglia**

Serial No.: **10/053,313**

Filed: **January 18, 2002**

For: **Gum Resin as a Carrier for Topical
Application of Pharmacologically Active Agents**

)
) Examiner: Theodore J. Criares
)
) Art Unit: 1617
)
) **TRANSMITTAL LETTER**
)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents in the above-identified application.

- ☐ Small entity status of this Application under 37 CFR 1.9 and 1.27 has been established by a Verified Declaration previously submitted.
- ☐ A Verified Declaration of Small Entity Status Under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ Response to Restriction Requirement.
- ☒ Marked Copy of Claims
- ☒ Clean Copy of Claims
- ☒ Replacement Pages 18-19
- ☐ Petition for Extension of Time (1 month).

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231:

April 8, 2003
(Date)

Carrie Bucher
(Signature)

Carrie Bucher
(Printed Name)

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Also enclosed:

- ☒ Return postcard (postage prepaid).
☐ Terminal Disclaimer under 37 CFR 1.20(d).

The fees have been calculated as shown below:

<u>Claims</u>	<u>Remaining after Amend</u>	<u>Highest No. Prev. Paid</u>	<u>Pres. Extra</u>	<u>Small Entity</u>		<u>Large Entity</u>	
				<u>Rate</u>	<u>Fee</u>	<u>Rate</u>	<u>Fee</u>
Total:	16	28	0	x \$9	= \$0	x \$18	= \$0
Indep:	3	3	0	x \$42	= \$0	x \$84	= \$0

If Multiple dependent Claims are used for the first time in this application, add \$140 (small entity) \$280 (large entity).

Total Additional Claims Fee: **\$0.00**

<u>Extension of Time Fee</u>	<u>Small Entity</u>	<u>Large Entity</u>
<input type="checkbox"/> One Month	\$55	\$ 110
<input type="checkbox"/> Two Months	\$205	\$ 410
<input type="checkbox"/> Three Months	\$465	\$ 930
<input type="checkbox"/> Four Months	\$725	\$1450
<input type="checkbox"/> Five Months	\$985	\$1970

Extension of Time Fee **\$0.00**

Other fees (list individually):

Total Other Fees: **\$0.00**

TOTAL FEES: \$0.00

- ☒ A check including the amount of the above-indicated TOTAL FEES is attached.
☐ Please charge Deposit Account No. 18-0020 in the amount of \$.
☐ No fee is required.

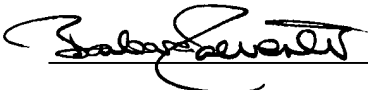
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- [X] Conditional Petition for Extension of Time: An extension of time is requested in the present and/or the above-referenced parent application to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.
- [X] The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020.
- [X] Any filing fees under 37 CFR 1.16 including fees for the presentation of extra claims.
- [X] Any parent application processing fees under 37 CFR 1.17.
- [X] A **duplicate** copy of this sheet is attached for accounting purposes.

Respectfully submitted,

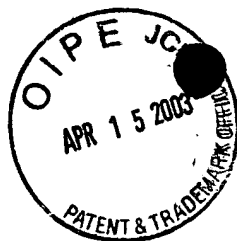
Date: April 7, 2003


Barbara Rae-Venter, Ph.D.
Reg. No. 32,750

Rae-Venter Law Group, P.C.
PO Box 1898
Monterey, CA 93942-1898
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BRV/mnb
Enclosures

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Serial No.: **10/053,313**

Filed: **January 18, 2002**

For: **Gum Resin as a Carrier for Topical
Application of Pharmacologically Active Agents**

)
) Examiner: Theodore J. Criares
)
) Art Unit: 1617
)
)
) **RESPONSE TO RESTRICTION**
) **REQUIREMENT**
)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction Requirement mailed March 21, 2003 and is submitted on or before April 21, 2003.

The Examiner is respectfully requested to make the following amendments shown on the attached marked up version of the Claims..

RESPONSE

Election/Restriction

The Examiner has required restriction to one of the following inventions under U.S.C. 121:

- I. Claims 1-14, 26, and 27, drawn to a pharmaceutical composition; and
- II. Claims 15-25 and 28, drawn to a method of increasing the effectiveness of a treatment for ameliorating the symptoms of a dermatological disease in a patient.

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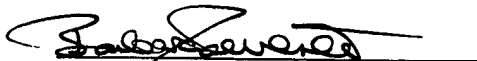
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Applicant hereby elects Group I without traverse.

Respectfully submitted,

Date: April 7, 2003



Barbara Rae-Venter, Ph.D.
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